

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

James D. HUGHETT et al

Serial No.: Not Assigned

Filed: Herewith

Art Unit:

For: AUTOMATED SYSTEM FOR THE RADIATION  
TREATMENT OF A DESIRED AREA  
WITHIN THE BODY OF A PATIENT

) "Express Mail" Mailing Label No. EV 321715607

) Date of Deposit October 27, 2003

) I hereby certify that this correspondence is being  
) deposited with the United States Postal Service  
) "Express Mail Post Office to Addressee" service  
) under 37 CFR1.10 on the date indicated above  
) and is addressed to: Commissioner for Patents,  
) P.O. Box 1450, Alexandria, VA 22313-1450

) Name: ARMAUDO CHUNG  
) (typed or printed)

) Signature *Armando Chung*

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97, as revised on February 4, 1992, 1135 OG 23-24, Applicant hereby calls the Examiner's attention to documents listed on the attached form, which documents may be material to the examination of this application. A copy of each of the references was submitted to the Patent Office or was cited by the Examiner in the parent application, Serial No. 09/469,510, filed December 22, 1999, which is being relied upon for an earlier filing date under 35 U.S.C. 120 (37 C.F.R. §1.98(d)).

No inference should be drawn that the attached list sets forth a comprehensive investigation of the prior art, that any or all are pertinent to the invention, or that any apparatus disclosed is equivalent to the subject invention.

The citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

A first office action, notice of allowance or issue fee notification has not been received in this case, so applicant does not believe that a fee is due. However, if any such fee is required, please charge our Deposit Account No. 50/1039.

Respectfully submitted,



Mark J. Murphy

Registration No: 34,225

COOK, ALEX, McFARRON, MANZO,  
CUMMINGS & MEHLER, LTD.  
200 West Adams Street  
Suite 2850  
Chicago, Illinois 60606  
(312) 236-8500

LIST OF PUBLICATIONS CITED BY APPLICANT			Atty. Docket No. 0341-0003.14	Serial No. Not Assigned		
			Applicant James D. HUGHETT et al			
			Filing Date Herewith	Group		
U.S. PATENT DOCUMENTS						
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	2,750,517	06/12/56	Baum			12/21/53
	2,965,761	12/20/60	Horvath			09/11/57
	3,088,032	04/30/63	Brunton			07/27/59
	3,532,888	10/06/70	Masefield et al			11/19/63
	4,233,517	11/11/80	van't Hooft			12/13/78
	4,584,991	04/29/86	Tokita et al			12/15/83
	4,733,653	03/29/88	Leung et al			11/25/85
	4,745,907	05/24/88	Russel, Jr. et al			09/16/87
	5,030,194	07/09/91	van't Hooft			11/15/89
	5,032,113	07/16/91	Burns			04/13/89
	5,103,395	04/07/92	Spako et al			08/20/90
	5,147,282	09/15/92	Kan			10/09/90
	5,533,969	07/09/96	Mulder			07/18/94
	5,683,345	11/04/97	Waksman et al			10/27/94
	5,776,091	07/1998	Brugger et al	604	29	
	5,800,383	09/1998	Chandler et al	604	35	
	5,851,172	12/22/98	Bueche			05/08/95
	5,899,882	05/04/99	Waksman et al			04/04/96
	6,013,020	01/11/00	Meloul et al			09/23/97
	6,048,300	04/11/00	Thornton et al			07/03/97
	6,077,055	06/2000	Vilks	417	44.2	
	6,358,237	03/2002	Paukovits et al	604	151	
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	NAME	English Abstract	English Trans.	FILING DATE
	DE 1095963	12/29/60	Nuclesa-Nuclear Eng  van't Hooft Ontario Cancer Institute	X		07/15/59
	GB 1219604	01/20/71				07/15/68
	SU 279814	07/25/75				
	GB 1558127	12/19/79				08/22/77
	CA 1197631	12/03/85				07/21/82

OTHER PRIOR ART - NON-PATENT LITERATURE DOCUMENTS  
(Including Author, Title, Date, Pertinent Pages)

International Search Report re Application No. PCT/US99/30000, dated May 31, 2000.

EXAMINER:

DATE CONSIDERED:

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP form. Draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.